

FILED 09 DEC 02 10:48 USDC-ORP

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

TONI L. TOOHEY, individually, and as  
Personal Representative of the Heirs and the  
Estate of FRANK R. TOOHEY, Deceased,

Plaintiff,

ORDER

v.

Civil No. 09-88-ST

THE WYNDHAM WORLDWIDE  
CORPORATION HEALTH & WELFARE  
PLAN, EMPLOYEE BENEFITS  
COMMITTEE WYNDHAM WORLDWIDE  
CORPORATION, LIFE INSURANCE  
COMPANY OF NORTH AMERICA, and  
WYNDHAM WORLDWIDE  
CORPORATION,

Defendants.

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HAGGERTY, District Judge:

Magistrate Judge Stewart referred to this court a Findings and Recommendation [62] in this matter. The Magistrate Judge recommends that defendants' Motions to Dismiss [45 and 50] and Motions to Strike Jury Demand [47 and 52] be granted. No objections were filed, and the case was referred to this court.

ORDER - 1

The matter is now before me pursuant to 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation of the Magistrate.

*Campbell v. U.S. Dist. Ct.*, 501 F.2d 196 (9th Cir. 1974).


No clear error appears on the face of the record. This court adopts the Findings and Recommendation.

**CONCLUSION**

The Findings and Recommendation [62] is ADOPTED.

IT IS SO ORDERED.

Dated this 2 day of December, 2009.

  
Ancer L. Haggerty  
United States District Judge